



1F12 ✓ User notif  
1B03 lobby  
1615

CERTIFICATE OF MAIL

I hereby certify that on 6/30/04, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service to: Mail Stop NonFee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Margaret Hasson

PATENT

Applicant: Anthony L. Fitzhugh  
Serial No.: 09/865,242  
Filed: May 25, 2001  
Title: NITRIC OXIDE-RELEASING METALLIC MEDICAL DEVICES  
Group Art Unit: 1615  
Examiner: B. Fubara  
Atty Docket No.: PA397 (formerly 17373.38)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PETITION FOR EXTENSION OF TIME

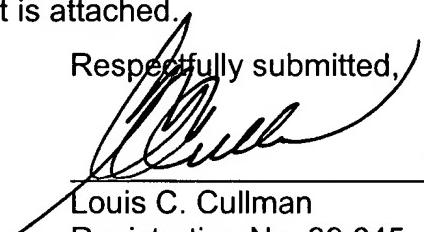
Commissioner for Patents  
Mail Stop Non Fee Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner for a one month extension of time for responding to the Office Action dated March 23, 2004, extending the statutory period of response from June 23, 2004 to July 23, 2004.

The Commissioner is hereby authorized to charge payment of the extension fee in the amount of \$110 to Deposit Account 01-2525. The Commissioner is authorized to charge any additional filing fees or credit any overpayment to Deposit Account No. 01-2525. A duplicate copy of this sheet is attached.

Respectfully submitted,

  
Louis C. Cullman  
Registration No. 39,645

June 28, 2004

PRESTON GATES & ELLIS  
1900 Main Street, Suite 600  
Irvine, CA 92614  
Telephone: 949.253.0900  
Facsimile: 949.253.0902

09865242  
07/23/2004 LWNDIM1 00000065 503207  
01 FC:1251 110.00 DA



PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	110.00
-------------------------	------	--------

## Complete if Known

Application Number	09/865,242
Filing Date	May 25, 2001
First Named Inventor	Fitzhugh
Examiner Name	B. Fubara
Art Unit	1615
Attorney Docket No.	PA397 (51288-0012)

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number	01-2525
Deposit Account Name	Medtronic Vascular

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$)	0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
6	-20** = 0		X	=	
1	-3** = 0		X	=	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$)

SUBTOTAL (3) (\$)

110.00

## SUBMITTED BY

Name (Print/Type)	Louis C. Cullman	Registration No. (Attorney/Agent)	39,645	Telephone	877-573-0902
Signature			Date	6/90/04	

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.